



TESTIMONY – RB 5642

Judiciary Committee

March 23, 2016

Senator Coleman, Representative Tong, and members of the Judiciary Committee:

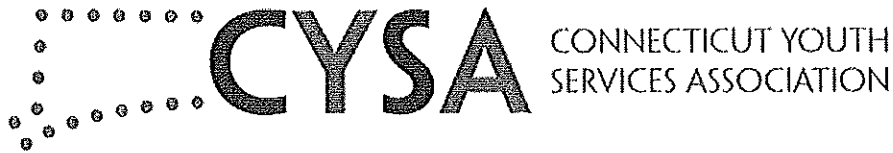
My name is Erica Bromley and I am the Juvenile Justice Liaison for the CT Youth Services Association. The Association leads, strengthens and supports a unified network of Youth Service Bureaus dedicated to promoting the well-being of Connecticut's children, youth and families. CYSA is a professional organization that advocates for and works with members in order to continue to best serve youth and families across the state. CYSA has been an integral part of the Connecticut YSB system since its founding in 1972.

I am here today to speak with you regarding Raised Bill 5642, An Act Concerning the Recommendations of the Juvenile Justice Policy Oversight Committee. As a member of the JJPOC and the Chair for the JJPOC Diversion Committee, there are many groundbreaking changes being proposed in this comprehensive Bill. The Diversion workgroup (and all the other workgroups) worked tirelessly to create a set of recommendations that would both make systemic changes to how juvenile justice works and to ensure adequate services can be provided once changes are made. One major recommendation of the Diversion workgroup was to remove Truancy and Defiance of School rules from the definitions of Family with Service Needs (FWSN) behaviors. This means that schools would no longer be able to refer a child to Juvenile Court for Truancy or Defiance of School Rules. Instead, the community and the school would be responsible for providing the necessary services. This move is an effort to take these status offenses out of the court system and change the notion that Juvenile Court is the only place children exhibiting these behaviors can get mental health and other services necessary for success. Research clearly indicates that exposure to the justice system increases likelihood of future offending and that community-based interventions show evidence of being more effective at addressing needs for long-term positive outcomes. Simply stated, Juvenile Court is not the appropriate place to address non-criminal behaviors/status offenses. This is a much needed move from the punitive system to a supportive system that addresses individual needs.

This major change has a direct impact on community based services, such as YSBs and JRBs, as well as on schools, and will create the need to serve thousands more youth. The concern with the Bill, as it currently stands, is that a provision that was adopted by the JJPOC stating that the removal of Truancy and Defiance of School Rules from the definition of FWSN should occur

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“only upon such time as the JJPOC confirms that both community and school based diversion services are sufficiently available and accessible, in every jurisdiction, to address the needs of these children and families” is missing from the Bill language. Without this language, providers and schools will have to absorb these children and families into their existing services, with equal and most likely less funding based on previous, current, and future budget cuts. This is of concern to the experts who met regularly as a part of the Diversion workgroup as well as to the CT Youth Services Association on behalf of their members.

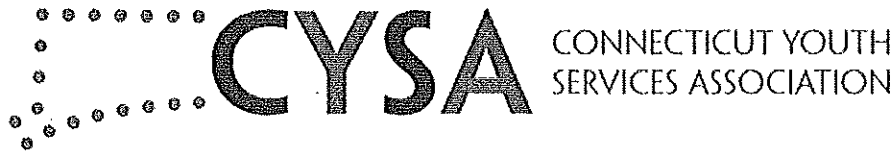
The Diversion workgroup agrees that Truancy and Defiance of School Rules are not behaviors that should be handled in court and can better be handled in the community, however the group also wants to make sure it is done correctly, with those responsible for providing services having the resources they need to do it adequately. In the end, this may just create a need for shifting of resources to best fit the needs of children exhibiting these behaviors in the appropriate setting.

The Youth Service Bureau system and the Juvenile Review Board system have long been providing services for children involved in or at risk of involvement in the juvenile justice system and will continue to do so with few resources. Philosophically, these changes are necessary and will create better outcomes for our children and their families, if there are adequate services available in place of what currently exists.

Additionally, there is a section of the Bill (Section 37, subsection “L”) that mandates a plan for a comprehensive community-based diversion system be created by January 1, 2017 to include expanding the capacity of juvenile review boards, ensuring restorative practices are used, accepting additional cases, and expanding the provision of prevention, intervention and treatment services by Youth Service Bureaus (along with other areas including school based diversion, expansion of in-home services and identification of evidence based and trauma informed programming). This plan will need to identify what is currently available, what the expansion needs are, how to expand, and how to create a comprehensive system. All of these things were directly taken from the JJPOC adopted recommendations and are a positive start to creating a better system of diversion. What may need to be included in that plan, are the service needs related to the removal of truancy and defiance of school rules from FWSN behaviors.

By making these thoughtful changes, we are responding to research and evidence in an effort to create the best outcomes for our children and their families. What I believe would make most sense is to push back the date of removal of Truancy and Defiance of School Rules from

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the definition of FWSN behaviors from January, 2017 to either July, 2017 or January, 2018 so it better coincides with the creation of a plan for a comprehensive community based diversion system and the opportunity to act on that plan (and for this topic to be added to that plan). This will allow the community to get a better handle on how they will best be able to serve these children and families moving forward.

What the JJPOC and the Legislature are embarking on is new territory in Juvenile Justice reform and should be commended. I look forward to continuing to be a part of this process. I am more than happy to answer any questions relating to this testimony that you may have.

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